Dancing on the Dark Side

Park Service two-step at Point Reyes National Seashore.
Words & photos by Carolyn Dufurrena.

It is dusk at Point Reyes National Seashore, the end of a fog-swept, chilly afternoon. Most of the tourists have left for the day out on the lighthouse road, which winds through grassy hills and fingerlike sand dunes past the alphabet ranches: A, B, C, D. Dairy cattle lounge on hillsides; some are lining up at pasture gates waiting to be milked. As the light fades, the bachelor elk appear, bugling away and moving from their sketchily appropriated home on the D Ranch toward the C Ranch fence. Half a dozen tourist vehicles park in the middle of the road to admire them and take pictures on their phones in the fading light.

The bulls gaze longingly at the historic C Ranch organic pasture, only a dozen yards away across a poorly maintained two-lane strip of asphalt and a three-wire fence. Neither will pose a problem.

Within a few hours, somewhere between 60 and 100 head will trot across the road, jump this fence, and make themselves at home on the newly rejuvenated grasses of the Spaletta family's organic dairy. They will eat whatever $390-a-ton organic hay they can steal, although the Spalettas have ceased feeding hay on the ground to their milk cows and now confine the hay to racks too narrow for the antlered bulls, at least, to stick their heads into. It saves money, but it's not the best thing for the milk cows, which would be better served to scatter across their pasture for their post-milking meal.

"There was a vision to relieve the population pressure at Tomales Point" and to "phase out commercial grazing of livestock whenever possible."

A herd of 100 adult elk can consume a ton of forage and drink 1,600 gallons of water a day. These elk will stay and feed all night, wandering off in the morning to ruminate back on the D Ranch, which according to wildlife biologist Dave Press "isn't in cattle grazing at the moment." What he doesn't say, in his deflective way, is that the Seashore cancelled the D Ranch's long-standing lease when the family's matriarch was killed in a car accident, effectively throwing her kids off the place not long after the funeral. Soon after that, radio-collared elk mysteriously appeared on the D Ranch from the Limantour Wilderness, on the other side of Drake's Estero.

Press explains that after they released 28 radio-collared elk into the wilderness area: "On day two there were two females missing. We knew they were alive, we just couldn't locate them. Three weeks later they turned up at Drake's Beach [bordering the D Ranch]. We don't know whether they went around or whether they swam the Estero, but there they were. Then the rut rolls around, and suddenly they were back over at Limantour. Later, one of them calved at Drake's Beach. They did this little back and forth for a few years. In 2001 they came back over to Drake's with a male and another female, and

they have grown from there. We have been watching that herd very, very closely since then and they show no signs of moving back over to Limantour." And why would they? All that swimming, when there's organic hay right across the road.

Ranchers who saw scarred and muddy elk wandering lost on the D Ranch the morning after unmarked trucks and trailers showed up after dark are more than skeptical of this fairy tale. But it doesn't matter now. The elk are there, and despite the Point Reyes Seashore's own elk management plan, which says that it will remove those animals which escape from the wilderness area onto ranchers' pastures, the park staff are confining their management to "watching that herd very, very closely."

Occasionally a ranger will show up on the Spaletta farm and drive around wildly, chasing the elk back through the remains of the three-wire fence and across the road in a ludicrous burst of activity, where they will stay till the ranger goes back to park headquarters. Press says the park staff has been doing a fair amount of that. "We call it 'hazing'...when we see that there's a herd of 60 to 80 elk that are consistently occupying one of those key pastures, day in and day out, day in and day out, we go in there and just kind of 'walk them out.'" He makes a "shooing" movement with his hands. "We just walk them off the pastures." Only park staff are allowed to haze the elk off the Spaletta farm, not the Spalettas, who certainly would be capable of such a sophisticated strategy.

The alphabet ranches, although invisible

***Left:** Hikers at Lower Pierce Point Ranch, now part of Tomales Point elk reserve. **Above:** Ranch buildings have been demolished, although elk still water at the ranch stock pond. **Top right:** C Ranch dairy cattle now compete with elk for pasture. Decommissioned D Ranch is in background. **Right:** Ranchers historically grazed these cliffs at Pierce Point with angora goats. NPS shot the goats after evicting the ranchers.*

now on Point Reyes National Seashore maps, were one of the main reasons the park came into being. The small ranches have been around since the 1860s. The first white rancher, a San Franciscan named Randall, had rounded up thousands of feral cattle left over on Point Reyes from the Spanish mission period, and added a passel of goats, dairy cattle and sheep, planning to make a fortune in the Gold Rush-era city. The too-rapid expansion of Randall's empire resulted in his losing the rancho and being shot in the back by one of his creditors. Predictably perhaps, his lawyers, Shafter, Shafter, Park & Heydenfeldt, ended up with the property.

The Shafters divided the peninsula into 30-some small ranches that could be leased by individual operators. The naming of these places was more than their imaginations could handle, apparently, so the ranches were named A through Z, plus a few at the south end where the Shafters remained. They sold the north end, Tomales Point, to Solomon Pierce, who built a successful dairy operation there.

By the time of the Great Depression, diverse factors including the proliferation of invasive weeds, the advent of refrigeration, the aftereffects of the 1906 earthquake, and the expansion of dairies nearer San Francisco combined to make Point Reyes a nonprofit enterprise. Many of the ranches were sold to the families who leased them, and their descendants are on those places today. Then, in 1937, the Golden Gate Bridge opened and San Francisco poured out to West Marin, looking for opportunity.

The first conservationists on Point Reyes were the ranchers themselves, who donated chunks of ranch land for parks and public spaces. By 1959, California Congressman Clem Miller had introduced unsuccessful legislation to create a national seashore. Local county officials as well as seashore ranchers were opposed, concerned about losing local control and federal condemnation of active grazing land. Perhaps they were right to worry. Miller said at the time: "It is necessary that we begin to take some steps...to push this matter if the local people are unable or unwilling to do it. At the same time, I want to retain the concept of local autonomy, particularly West Marin local autonomy. We want to give the impression that everything is emanating from there. I am afraid, however, that McCarthy [the attorney for the ranchers] sees through this."

In 1961 a revised bill included the creation of a "pastoral zone," allowing dairy and beef ranching operations to continue within the park. It also provided for a land exchange structure that would compensate folks if they decided to leave the park, allowing them to continue their operations elsewhere. It included $14 million to purchase properties from the ranchers and became law in 1962.

TULE ELK © RON WOLF / TOM STACK & ASSOCIATES

*CLOCKWISE FROM ABOVE: **Bull elk. ➤Biologist Dave Press with the remains of an elk calf skull. ➤Pickup-wide hiking trail on Tomales Point, with treads of thousands of expensive hiking shoes from hordes of environmentally sensitive tourists.***

Congress upped the ante for land purchases in 1970 to $57 million, and by 1975 the Seashore had purchased all the rest of the ranches, although the families remained as leaseholders on the working landscape. At the same time, the National Park Service (NPS) was struggling to understand its mission at Point Reyes. Hunting was permitted, ranching was encouraged, recreation was welcome. There was even an ill-fated development scheme. There was a leadership vacuum. And nature—and politics—abhor a vacuum.

During this period, environmental organizations thriving in the political climate of 1970s' California introduced the idea of planting tule elk on Point Reyes. According to Ethan Lane's excellent 2014 report on the history of Point Reyes: "Impossible as it sounds, on-going management discussions simultaneously entertained both the need to control overpopulated deer and the desire to introduce...elk...into the already crowded and conflicted recreation area/seashore/historical site."

The Seashore was in the throes of creating a Natural Resources Management Plan and Environmental Assessment, as well as a General Management Plan (GMP), which it did not finish until 1980. In the interim, political pressure from environmental groups resulted in 25,000 acres of Point Reyes National Seashore being designated wilderness before the public comment period required by the National Environmental Policy Act (NEPA) for the GMP ever rolled around. The wilderness designation included all of Tomales Point and the Pierce Point Ranch.

Enter the tule elk, which a 1974 Memorandum of Understanding (MOU) between Ray Arnett, director of California Fish & Game, and park superintendent John Sansing documents as being planned for transplant to Tomales Point, at the time being ranched by Merv McDonald, whose family had been at Point Reyes since the 1880s and at Pierce Point since 1966. "When the fence is completed," the memo reads, "we plan to provide tule elk from Tupman and other available sources."

With the wilderness designation in place, the Seashore made McDonald's life hell, restricting use of motor vehicles, terminating electrical service, and denying essential fence repair. He ultimately watched, as his calving mother cows were shipped to market, the release of 10 head of tule elk into an enclosure on the ranch, including a cow they named Margaret, who arrived with and subsequently died of Johne's (YO-naze) disease, an intestinal bacteria that manifests as a wasting disease. Quite a few more would die in subsequent years, after McDonald and his family were evicted in 1979.

The three-mile-long elk fence was in place, and the 2,600-acre Tomales Point reserve became home to what would become over 540 head of elk, a population which grew exponentially far past the projected carrying capacity of 140 animals. A 1992 Environmental Assessment included several alternatives, including public hunting, relocation to other areas within the park, and "Relocate excess elk to areas outside the Seashore," which referenced the 1974 MOU with California Fish & Game, noting that "this MOU has expired." The EA was withdrawn before the approval process by the NPS. Still the Seashore used this draft document, with total disregard for the NEPA process, in its 1998 Elk Management Plan.

By 1998, elk hunting had disappeared as a management alternative and the new EA was published with a Finding of No Significant Impact (FONSI), in spite of the acknowledged impacts to ranching referred to in other parts of the study. Thus the park proceeded to "manage elk using relocation and scientific techniques." These included the use of the contraceptive PZP, researching elk ecology, and establishing an 18,000-acre elk reserve on the Phillip Burton Wilderness in the Limantour area, which borders the Home Ranch and is also well within the pastoral zone. "There was a vision," Dave Press says, "to relieve the population pressure here [at Tomales Point], but there was also a vision to have free-ranging elk on the seashore like they occurred historically. It's very out of the ordinary to have fenced in wildlife of any kind in a National Park Service unit."

Six months later in 1999, the D Ranch family, squarely in the middle of the pastoral zone and across the broad, watery expanse of Drake's Estero from the wilderness, was evicted. No explanation was given. There was another vision, documented in the 2006 Park Services Management Policy to "phase out the commercial grazing of livestock whenever possible."

Point Reyes is not the only place where this dark dance is happening. At the Channel Islands National Park during the same time period, the NPS looked hard for species that it could point to, to regulate the local ranchers of the Vail & Vickers Company off the place they'd owned for more than a century. It could not provide facts or proof to support any conclusion that cattle were damaging species that could be protected by the ESA; nonetheless, according to former park superintendent Tim Setnicka, "The park used the standard management model it uses to deal with such situations; we ground [the family ranch] down by calling in other agencies to help us and in the end outspent them with almost limitless federal money."

Gino and Kathy McDonald Lucchesi raise Angus cattle on the Home Ranch, in background, on the border with the Phillip Burton (Limantour) Wilderness. Elk routinely meander across onto their pastures. (Two bulls are nearly invisible in the background upper right.)

NPS leaked information "out the back door" to the U.S. Fish & Wildlife Service, so that its sister agency could raise the unwarranted red flag with the western snowy plover, restricting cattle access to pastures where the plover might be threatened at some point in the future. Using the same tactic, the regional water quality board was called in to sue the park—not the Vails—for water quality damage by the cattle. Later environmental groups used the same tactic: getting backdoor information from the park to sue the park. Eventually the unlimited funding of the federal government won out, and the Vails were forced off the island. For Setnicka, the whole process not only fomented bitterness within the park itself, but destroyed the public's faith.

"The National Park Service," says Tim Setnicka, "has no soul." Instead, he argues, it's comprised of people maneuvering through a bureaucracy that has become increasingly untrustworthy.

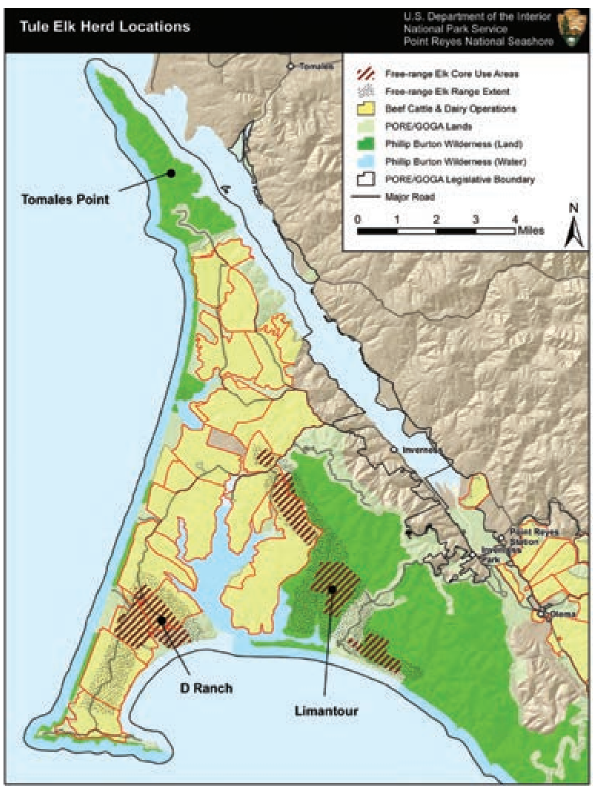
It sounds more and more like a faceless, headless monster that will stop at nothing to get what it wants. "The culture of the National Park Service has changed, and I learned that during a very contentious planning process" at the Channel Islands National Park. "I despise the lack of honesty that the park service used in that process," he says of the tactics used to bring about the premature end of ranching on Santa Rosa Island. Setnicka was forced out as park superintendent after he protested the handling of the landowners.

The last landowner on Santa Cruz Island, an octogenarian attorney named Francis Guerini, had agreed to sell to the park, but had never received a decent offer. Instead, NPS sent Blackhawk helicopters and 20 armed men to a hunting camp on his land on a drizzly, cold January morning. A 15-year-old girl was there on a bow-hunting trip with her father. They ambushed her in her bedroom at 5 a.m.—equipped with semiautomatic pistols, body armor, black ski masks, goggles and combat boots. The girl was made to lie facedown on the muddy floor to be handcuffed, and though the officers later contended that she was restrained for no more than 30 minutes, the young woman claims she was in shackles for nearly two hours. "And they never even identified themselves," she says. No charges were filed; no evidence of wrongdoing was published.

Is this dark story relevant at Point Reyes? Don Neubacher, former superintendent of the Point Reyes National Seashore, who was recently removed for sexual harassment and toxic work environment charges at Yosemite, told local environmental advocate Phyllis Faber years ago that NPS had a "plan" to get rid of all working ranches at the seashore. Neubacher, Faber recounted in an article for the *Point Reyes Light*, indicated that the "plan would start with closure of the oyster farm in Drakes Estero. Once it was gone, the park would stand by as environmental groups brought lawsuits against the surrounding ranches, claiming their operations were degrading water quality. The ranchers, whose means were modest, would have no choice but to shut down, bringing an end to the 150-year ranching tradition at Point Reyes."


COURTESY AUDRA SPALETTA

Drakes Bay Oyster Farm was closed in 2014 by then-Secretary of the Interior Ken Salazar in spite of congressional proof that the Seashore had falsified its own data relating to the species it claimed were damaged by the oyster farm. The Center for Biological Diversity, Western Watersheds Project and the Resource Renewal Institute filed suit in 2016 against Point Reyes National Seashore to try to force nonrenewal of the ranchers' leases. The suit was settled in July 2017, allowing the ranchers to hope for five-year renewable leases rather than the one-year leases the plaintiffs were asking for, but as part of the larger plan, it put a financial strain on the small family operations. The pattern is increasingly familiar.



MAP COURTESY NPS

CLOCKWISE FROM TOP LEFT: Ernest Spaletta, wife Audra, Julia, 8, and Ernest III, age 5. ➤The Spalettas historic C Ranch. ➤Elk get ready to cross the road from the D Ranch at dusk. ➤PRNS tule elk map shows elk incursion onto beef and dairy ranches from adjacent and nonadjacent wilderness.

Setnicka says that, in his opinion, those who support ranching at Point Reyes should appeal to congressional representatives, involve the media and remain engaged with the process. "If you don't stand up, you will be run over." Sen. Dianne Feinstein has been a loyal friend, though new congressional Rep. Jared Huffman, a former environmental lawyer for the Natural Resources Defense Council, may be more conflicted in his support. Although the words come easily in support of ranchers, Huffman has been shown to act at cross-purposes. His real support remains to be seen.

It's clear that the Point Reyes National Seashore, in its passive-aggressive way, will continue to pay lip service to the enabling legislation which specifies that ranchers in the pastoral zone may continue their operations, while blithely ignoring the stipulations of NEPA and catering to environmental interests and its own real in-house plan. But consider this: these park biologists don't know how to manage habitat. Even if every one of the alphabet ranches were decommissioned and the elk were allowed to range freely over the entire peninsula, the park's elk nonmanagement policy will have Point Reyes looking like the mustang sanctuary of Marin County in 20 years. These people are biologists. They study individual species. They demonstrably do not understand how to sustain habitat, and by his own admission, Dave Press "doesn't really know that much about elk," since he's more of a snowy plover and elephant seal guy.

So what's happened to the habitat on Tomales Point that the elk have occupied for the last 18 years? Pastures are alternately denuded, dug up, and choked with dead and rank grasses. The pastures are riddled with trails marked not just by the hoofprints of hundreds of elk, but the treads of countless thousands of expensive hiking shoes, as hordes of environmentally sensitive tourists come trekking along the path to what was the lower Pierce Point Ranch to view the herds and photograph the magnificent scenery. If the Spalettas, the Lucchesis, and the rest of the ranchers in the pastoral zone know what's good for them in this dark dance, they'll start building fences to keep the elk, and the tourists, at bay, and start bugling their story to the world. ■

Award-winning writer Carolyn Dufurrena wrote "Shell Game on Drakes Estero" for the Spring 2013 issue of RANGE. Go to <www.rangemagazine.com> and click on Back Issues.